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June 29, 2018

The Honorable Christopher J. Burke  
U.S. District Court for the District of Delaware  
844 N. King Street, Unit 18  
Wilmington, DE 19801

RE: Barrett, et. al. v. McDonald, et. al.  
C. A. 1:14- cv- 00742- LPS

Dear Magistrate Burke:

Please accept this as a Status Report on the above-captioned matter.

The parties have continued to engage in discovery by taking depositions and exchanging documents but have not quite completed all of the fact discovery. Plaintiffs have deposed Dr. Lawrence McDonald and three other DOC defendants, leaving Jill Mosser as the final defendant to be deposed. Counsel are working to schedule her deposition by the end of July. Plaintiffs are seeking to depose Defendant, Kurt Johnson, and will be seeking the earliest possible date for his deposition. Plaintiffs also want to depose Dr. Elena Padrell who has knowledge of allegations against Dr. McDonald. She is a citizen of Spain and the United States and splits her time between both. She might be traveling to the United States before the end of the summer, and possibly her deposition can be taken while she is here. If that cannot be arranged, plaintiffs intend to depose her at her Barcelona, Spain residence.

Defendants have deposed 16 Plaintiffs and former plaintiffs Ron Keis and Emiliano Vazquez. Victor Talmo and Earl Garrison, the two remaining Plaintiffs to be deposed, are scheduled to be deposed on July 13<sup>th</sup> at Sussex Correctional Institute.

The CCS defendants have requested additional discovery materials from plaintiffs relevant to any medical exams performed on them since they were treated by Dr. McDonald. Plaintiffs have provided such materials in their control and will produce any additional relevant materials if they receive any. The CCS defendants have agreed to provide additional documentation including the personnel file for Dr. McDonald. Once these materials are exchanged, the parties might not have to engage in anymore written fact discovery.

Counsel is working to complete all discovery in this matter on or before the October 1<sup>st</sup> deadline. Upon the completion of discovery, the parties should know if mediation is an option.

If additional questions need to be answered, please contact my office.

Respectfully submitted,

GRADY & HAMPTON, LLC

/s/ Stephen A. Hampton

Stephen A. Hampton

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